

# COUNTY OF YORK

## MEMORANDUM

**DATE:** August 15, 2003 (BOS Mtg. 9/2/03)

**TO:** York County Board of Supervisors

**FROM:** James E. Barnett, County Attorney

**SUBJECT:** Vacation of existing sanitary sewer easement in exchange for dedication of relocated easement

Attached is a plat showing the proposed vacation of an existing sanitary sewer easement on property of C. Lewis Waltrip, II. The plat also shows a 10' sanitary sewer easement proposed to be conveyed to the County by Mr. Waltrip across a different portion of his property. According to information received from the County's Department of Environmental and Development Services, Mr. Waltrip has agreed to allow the developers of an adjoining property (Greensprings Plantation, Inc.) to have an easement across his property to tie into an existing sanitary sewer grinder pump. However, during planning for the construction of the new sanitary sewer lateral line, it was discovered that the grinder pump earlier installed on Mr. Waltrip's property is located outside of the easement granted to the County sometime ago for that purpose. What is now proposed is that the County vacate the existing easement as shown on the plat while Mr. Waltrip simultaneously grants an easement to the County not only to accommodate the grinder pump as it was actually installed, but to accommodate a lateral sewer line to benefit the adjacent parcel. The attached resolution, R03-143, will authorize the County Administrator to execute the necessary deed of vacation.

This matter has been advertised for a public hearing as is generally required whenever the County conveys an interest in real estate, or vacates an easement. I recommend its adoption.

Barnett/3340:sw  
Attachments

- R03-143
- Plat showing subject property